

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	79140651
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>The Examiner continues to refuse registration of this application for classes 3, 9, 18, and 25 due to a likelihood of confusion with registration nos. 3543709, 3930615, 2770611, and 2381337.</p> <p>The registrant's standard character marks should not be given broader protection than they deserve. More weight should be given to the stylization of applicant's mark. The applicant's mark is stylized and the registrant's marks are standard character marks. The Examiner claims that since the registered marks have a standard character claim they can be compared in the same manner of display as the applicant's. This tenet is attributable to type style not necessarily stylization. Applicant's mark is not just showing a different type style but also a stylization where the letters are intertwined. It comes a point where the stylization of letters goes beyond mere differences in fonts and becomes a style in itself, distinguishing itself from the letters. Therefore applicant's mark is not confusingly similar with any of the marks in any of the refused classes.</p> <p>A standard character claim is only for Applicants who seek to register words, letters, numbers, or any combination thereof without claim to any particular font style, size, or color. TMEP 807.03 It has little or nothing to do with stylization. Applicant of a standard character drawing is not open to use any design element that it wants and still be considered a standard character registration. It can use any font. If the mark includes an essential element or feature that cannot be produced by the use of standard characters like interlocking letters, it cannot be standard character. TMEP 807.03</p> <p>If the Examiner is correct that the cited registrant's could use any stylized characters with any design element, then why are so many other SR marks registered with different designs in class 25? Please see the seven registrations cited. There could not have been so many mistakes made by the USPTO in allowing these registrations to coexist. Applicant should also be allowed registration in class 25.</p> <p>The strength and distinctiveness of a mark is a vital consideration in determining the scope of protection it is afforded." Amstar Corp. v. Domino's Pizza, Inc., 615 F.2d 252, 259, 205 U.S.P.Q. 969, 975 (5th Cir. 1980). The use of similar marks indicates that a mark is weak and should be afforded only a very narrow scope of protection. In Wooster Brush Co. v. Prager Brush Co., 231 U.S.P.Q. 316, 318 (T.T.A.B. 1986). When the primary term of a mark is protected to begin with, minor alterations may effectively negate any confusing similarity between the two marks. See Sav. Bank, F.S.B. v. First Bank System, Inc., 40 U.S.P.Q.2d 1865 (10th Cir. 1996). Applicant's trademark stylization that is different from the registrant's marks.</p>	

Registration is prima facie evidence that the mark is not confusingly similar to other registered marks. *Libe Co. v. Liberty Ins Co.* 127 USPQ 312 (E.D. Ark 1960). The registrant's themselves both have registrations and 25 for standard character marks that are the same. Besides the SR trademarks owned by the two different registrant entities for class 18 goods there are also SR-72 and SR2 (please see attached) that are also registered. SR2 has been allowed based on use in commerce. There is no confusion in the market place for trademarks in class 17 then there also would be no likelihood of confusion for applicant's SR design mark. should be allowed to register its trademark for its class 18 goods.

In class 9 for the goods related to eyewear besides the cited registration by Sonia Ryker there are two other SR-1 and SR-91 owned by different entities. Although all three registrations seem they could emanate from source, the number indicating different models of the SR trademark, they do not. Consumers know this. Li Applicant's uniquely stylized SR gives a different source indication than, Sonia Rykiel's and should be allowed registration.

A picture of Sonia Rykiel eye wear (attached) shows SR appears with the name SONIA RYKIEL on the label. Sunrider's SR trademarked goods are sold in Sunrider stores or the Sunrider website where Sunrider is displayed. (See evidence submitted with last response) SR is an abbreviation for a name. All cited registrations goods with the full name prominently displayed on the goods or near the goods when selling. Consumer's initials are an abbreviation and they know the source of the respective goods.

Because the mark at issue is on the weak end of the spectrum, the Applicant's unique design, and the coexisting cited registrations for the same marks and same goods indicating that the USPTO believes the marks are not Applicant requests the withdrawal of the refusal to register based on the cited registrations.

## EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_10854181106-20150427150213133210_.t74817.registrations.pdf</a>
<b>CONVERTED PDF FILE(S) (23 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\791\406\79140651\xml12\RFR0002.JPG</a>
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<b>ORIGINAL PDF FILE</b>	<a href="#">evi_10854181106-20150427150213133210 . Black Sunglasses With Grey Lens And SR Rhinestone</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="\\TICRS\EXPORT16\IMAGEOUT16\791\406\79140651\xml12\RFR0025.JPG">\\TICRS\EXPORT16\IMAGEOUT16\791\406\79140651\xml12\RFR0025.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	Third party registrations. Sample of registrant's goods.
<b>GOODS AND/OR SERVICES SECTION (003)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (008)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (009)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (014)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (016)(current)</b>	
<b>INTERNATIONAL CLASS</b>	016
<b>DESCRIPTION</b>	
Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, books of art, culture, fashion, sports; writing instruments, drawing instruments, painting instruments	
<b>GOODS AND/OR SERVICES SECTION (016)(proposed)</b>	

<b>INTERNATIONAL CLASS</b>	016
<b>TRACKED TEXT DESCRIPTION</b>	
<p>Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, boo of art, culture, fashion, sports; <del>writing instruments, drawing instruments, painting instruments</del>; <a href="#">writing instr</a>  <a href="#">drawing instruments, painting instruments, namely, brushes, paint brushes, palettes for painting</a></p>	
<b>FINAL DESCRIPTION</b>	
<p>Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, boo of art, culture, fashion, sports; writing instruments, drawing instruments, painting instruments, namely, bru brushes, palettes for painting</p>	
<b>GOODS AND/OR SERVICES SECTION (018)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (020)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (021)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (025)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (034)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (035)(no change)</b>	
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/cecelia m. perry/
<b>SIGNATORY'S NAME</b>	Cecelia M. Perry
<b>SIGNATORY'S POSITION</b>	attorney of record, New Jersey bar member
<b>DATE SIGNED</b>	04/27/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Apr 27 15:12:30 EDT 2015



**TEAS STAMP**

USPTO/RFR-108.54.181.106-  
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A-N/A-2015042715021313321  
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PTO Form 1960 (Rev 9/2007)  
OMB No. 0651-0050 (Exp. 07/31/2017)

## **Request for Reconsideration after Final Action To the Commissioner for Trademarks:**

Application serial no. **79140651** has been amended as follows:

### **ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

The Examiner continues to refuse registration of this application for classes 3, 9, 18, and 25 due to a likelihood of confusion with registration nos. 3543709, 3930615, 2770611, and 2381337.

The registrant's standard character marks should not be given broader protection than they deserve. More weight should be given to the stylization of applicant's mark. The applicant's mark is stylized and the registrant's marks are in standard character. The Examiner claims that since the registered marks have a standard character claim they can be presented in the same manner of display as the applicant's. This tenet is attributable to type style not necessarily stylization. The applicant's mark is not just showing a different type style but also a stylization where the letters are intertwined. There comes a point where the stylization of letters goes beyond mere differences in fonts and becomes a style in its own, distinguishing itself from the letters. Therefore applicant's mark is not confusingly similar with any of the cited marks in any of the refused classes.

A standard character claim is only for Applicants who seek to register words, letters, numbers, or any combination thereof without claim to any particular font style, size, or color. TMEP 807.03 It has little or nothing to do with stylization. The applicant of a standard character drawing is not open to use any design element that it wants and still be covered by the standard character registration. It can use any font. If the mark includes an essential element or feature that cannot be produced by the use of standard characters like interlocking letters, it cannot be standard character. TMEP 807.04(b)

If the Examiner is correct that the cited registrant's could use any stylized characters with any design elements then why are so many other SR marks registered with different designs in class 25? Please see the seven registrations attached. There could not have been so many mistakes made by the USPTO in allowing these registrations to coexist. Therefore, Applicant should also be allowed registration in class 25.

The strength and distinctiveness of a mark is a vital consideration in determining the scope of protection it

should be accorded." *Amstar Corp. v. Domino's Pizza, Inc.*, 615 F.2d 252, 259, 205 U.S.P.Q. 969, 975 (5th Cir. 1980) . Third-party use of similar marks indicates that a mark is weak and should be afforded only a very narrow scope of protection. *Wooster Brush Co. v. Prager Brush Co.*, 231 U.S.P.Q. 316, 318 (T.T.A.B. 1986). When the primary term is weakly protected to begin with, minor alterations may effectively negate any confusing similarity between the two marks. *First Sav. Bank, F.S.B. v. First Bank System, Inc.*, 40 U.S.P.Q.2d 1865 (10th Cir. 1996). Applicant's trademark has an unique stylization that is different from the registrant's marks.

Registration is prima facie evidence that the mark is not confusingly similar to other registered marks. *Liberty Mut. Ins Co. v. Liberty Ins Co.* 127 USPQ 312 (E.D. Ark 1960). The registrant's themselves both have registrations in classes 18 and 25 for standard character marks that are the same. Besides the SR trademarks owned by the two different cited registrant entities for class 18 goods there are also SR-72 and SR2 (please see attached) that are also registered or allowed registration. SR2 has been allowed based on use in commerce. There is no confusion in the market place between the SR trademarks in class 17 then there also would be no likelihood of confusion for applicant's SR design mark. Applicant should be allowed to register its trademark for its class 18 goods.

In class 9 for the goods related to eyewear besides the cited registration by Sonia Ryker there are two other registrations SR-1 and SR-91 owned by different entities. Although all three registrations seem they could emanate from the same source, the number indicating different models of the SR trademark, they do not. Consumers know this. Likewise, Applicant's uniquely stylized SR gives a different source indication than, Sonia Rykiel's and should be allowed registration.

A picture of Sonia Rykiel eye wear (attached) shows SR appears with the name SONIA RYKIEL on the lense at time of sale. Sunrider's SR trademarked goods are sold in Sunrider stores or the Sunrider website where Sunrider is prominently displayed. (See evidence submitted with last response) SR is an abbreviation for a name. All cited registrations sell their goods with the full name prominently displayed on the goods or near the goods when selling. Consumer's know the initials are an abbreviation and they know the source of the respective goods.

Because the mark at issue is on the weak end of the spectrum, the Applicant's unique design, and the coexistence of the cited registrations for the same marks and same goods indicating that the USPTO believes the marks are not in conflict, Applicant requests the withdrawal of the refusal to register based on the cited registrations.

## **EVIDENCE**

Evidence in the nature of Third party registrations. Sample of registrant's goods. has been attached.

### **Original PDF file:**

[evi\\_10854181106-20150427150213133210\\_.t74817.registrations.pdf](#)

### **Converted PDF file(s) ( 23 pages)**

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

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[Evidence-23](#)

**Original PDF file:**

[evi\\_10854181106-](#)

[20150427150213133210 . Black Sunglasses With Grey Lens And SR Rhinestone Signature.pdf](#)

**Converted PDF file(s) ( 1 page)**

[Evidence-1](#)

**CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 016 for Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods made from these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs; stationery; inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing inks, calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, fountain pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, books in the field of art, culture, fashion, sports; writing instruments, drawing instruments, painting instruments

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods made from these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs; stationery; inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing inks, calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, fountain pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, books in the field of art, culture, fashion, sports; ~~writing instruments, drawing instruments, painting instruments~~; [writing instruments, drawing instruments, painting instruments, namely, brushes, paint brushes, palettes for painting](#)

Class 016 for Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods made from these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs; stationery; inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing inks, calligraphy inks; pencil leads, pencil lead holders,

pencils, pencil holders, pens, penholders, drawing pens, fountain pens, blank writing or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, books in the field of art, culture, fashion, sports; writing instruments, drawing instruments, painting instruments, namely, brushes, paint brushes, palettes for painting

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /cecelia m. perry/ Date: 04/27/2015

Signatory's Name: Cecelia M. Perry

Signatory's Position: attorney of record, New Jersey bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79140651

Internet Transmission Date: Mon Apr 27 15:12:30 EDT 2015

TEAS Stamp: USPTO/RFR-108.54.181.106-201504271512303

90502-79140651-530c8e0575df03643437cd48e

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68-N/A-N/A-20150427150213133210



United States Patent and Trademark Office

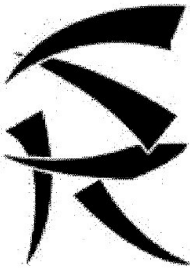
[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Wed Oct 29 03:20:58 EDT 2014

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

 Please logout when you are done to release system resources allocated for you. List At:  OR  to record:  **Record 5 out of 36**

TSDR	ASSIGN Status	TTAB Status
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 ( Use the "Back" button of the Internet Browser to return to TESS)**Word Mark** SR**Goods and Services** IC 025. US 022 039. G & S: Hats; Jackets; Jerseys; Shirts; Shoes; Shorts; Socks; Sweatpants; Sweatshirts; Tank tops. FIRST USE: 20130621. FIRST USE IN COMMERCE: 20130921**Mark****Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM**Serial Number** 85966524**Filing Date** June 21, 2013**Current Basis** 1A**Original Filing Basis** 1B**Published for Opposition** November 12, 2013**Registration Number** 4602719**Registration Date** September 9, 2014**Owner** (REGISTRANT) Rice, Sidney INDIVIDUAL UNITED STATES c/o The McMillan Firm 29 W. 46th St., 3rd Fl. New York NEW YORK 10036**Attorney of Record** L. Londell McMillan

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a design of intersecting lines which are in the style of a Chinese character forming highly stylized versions of the letters "S" and "R" where the bottom of the letter "S" forms the top of the letter "R".

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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## Trademarks &gt; Trademark Electronic Search System (TESS)

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[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At:  OR [Jump](#) to record:  **Record 35 out of 36**[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)

<b>Word Mark</b>	SR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: footwear. FIRST USE: 19960610. FIRST USE IN COMMERCE: 19960610
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	75155597
<b>Filing Date</b>	August 26, 1996
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	June 10, 1997
<b>Registration Number</b>	2093072
<b>Registration Date</b>	September 2, 1997
<b>Owner</b>	(REGISTRANT) SRL, Inc. CORPORATION DELAWARE 191 Spring Street Lexington MASSACHUSETTS 024218049  (LAST LISTED OWNER) SRL, LLC LIMITED LIABILITY COMPANY DELAWARE 191 SPRING STREET LEXINGTON MASSACHUSETTS 02421
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of</b>	Joseph V. Myers III

**Record**

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letters "SR" in stylized form.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080229.

**Renewal** 1ST RENEWAL 20080229

**Live/Dead Indicator** LIVE

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<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

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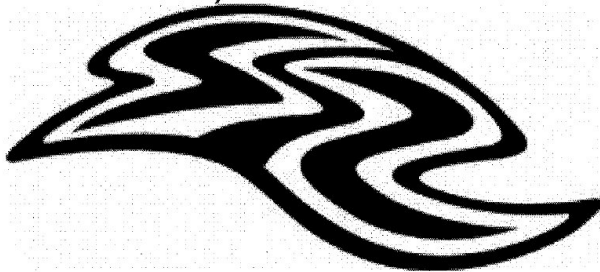
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<b>Word Mark</b>	SR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Footwear. FIRST USE: 20120501. FIRST USE IN COMMERCE: 20120501
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)
<b>Serial Number</b>	85726222
<b>Filing Date</b>	September 11, 2012
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	February 12, 2013
<b>Registration Number</b>	4471951
<b>Registration Date</b>	January 21, 2014
<b>Owner</b>	(REGISTRANT) SRL, LLC LIMITED LIABILITY COMPANY DELAWARE 191 Spring Street Lexington MASSACHUSETTS 02421
<b>Attorney of Record</b>	Joseph V. Myers III
<b>Prior Registrations</b>	2093072

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Trademark Electronic Search System (TESS)

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letters "SR" in a stylized form, which are individually outlined.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At:  OR [Jump](#) to record:  **Record 1 out of 52**[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)**Word Mark** SR**Goods and Services** IC 025. US 022 039. G & S: **clothing**, namely t-shirts, sweatshirts, baseball caps, hats, headbands, gloves, jackets, sweaters, socks, and pants. FIRST USE: 20140222. FIRST USE IN COMMERCE: 20140222**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design Search Code** 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved**Serial Number** 86250407**Filing Date** April 11, 2014**Current Basis** 1A**Original Filing Basis** 1A**Published for Opposition** August 26, 2014**Owner** (APPLICANT) REESE, SKEET INDIVIDUAL UNITED STATES 2280 Grass Valley Highway, Suite 167 Auburn CALIFORNIA 95603**Attorney of Record** Edward R. Hearn**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized letters "S" and "R" joined at the top of the two letters with a connecting line over which is an arched and shaped crescent ending at the

10/29/2014

Trademark Electronic Search System (TESS)

bottom of the arch with a hook on the upper side of the crescent.

**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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### Word Mark SR

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Compact disks featuring music in a variety of styles; video tapes and DVDs featuring television programs and excerpts from television programs. FIRST USE: 20020701. FIRST USE IN COMMERCE: 20020701

IC 025. US 022 039. G & S: **Clothing**, namely, T-shirts, hats, sweatshirts, jeans, pants, and polo shirts. FIRST USE: 20020701. FIRST USE IN COMMERCE: 20020701

IC 035. US 100 101 102. G & S: [ Retail store services offered via a website on the Internet featuring wearing apparel, audio and video recordings, and various miscellaneous and sundry items such as collectable stickers, bumper stickers, and the like ]. FIRST USE: 20020601. FIRST USE IN COMMERCE: 20020601

IC 038. US 100 101 104. G & S: Streaming of audio and video content via the Internet. FIRST USE: 20030110. FIRST USE IN COMMERCE: 20030110

IC 041. US 100 101 107. G & S: Operation of an internet site featuring television program scheduling information; entertainment in the nature of on-going television programs in the field of variety shows; fan club services. FIRST USE: 20020401. FIRST USE IN COMMERCE: 20020401

### Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

### Design Search Code

26.01.11 - Circles comprised of animals; Circles comprised of geometric figures; Circles comprised of humans; Circles comprised of letters or numerals; Circles comprised of plants; Circles comprised of punctuation; Letters, numerals, punctuation, geometric figures, objects, humans, plants or animals comprising a circle

26.01.21 - Circles that are totally or partially shaded.

**Serial Number** 76299587  
**Filing Date** August 14, 2001  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** September 30, 2003  
**Registration Number** 2948602  
**Registration Date** May 10, 2005  
**Owner** (REGISTRANT) Inspirational Network, Inc., The NON-PROFIT CORPORATION NORTH CAROLINA  
3000 WorldReach Drive Indian Land NORTH CAROLINA 29707  
**Attorney of Record** Karl S. Sawyer, Jr.  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Word Mark** SR

**Goods and Services** IC 025. US 022 039. G & S: Clothing, namely, water repelling coats and wind-jackets. FIRST USE: 20120101. FIRST USE IN COMMERCE: 20120101

**Mark**

**Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design** 26.01.06 - Circles, semi; Semi-circles

**Search** 26.01.15 - Circles, exactly three circles; Three circles

**Code** 26.01.21 - Circles that are totally or partially shaded.

**Serial Number** 76709831

**Filing Date** November 23, 2011

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** December 4, 2012

**Registration Number** 4495026

**Registration Date** March 11, 2014

**Owner** (REGISTRANT) CTW Reigns, LLC LIMITED LIABILITY COMPANY TEXAS 6405 Bandera Avenue #3B Dallas TEXAS 75225

**Attorney of Record** Kay Lyn Schwartz

4/22/2015

Trademark Electronic Search System (TESS)

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the stylized letters "SR" where the "R" is bigger and contains three dots at the top, both letters are surrounded with a double horse-shoe shape.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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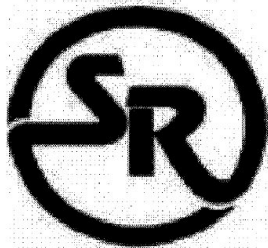
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<b>Word Mark</b>	SR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely, sweatshirts, t-shirts, shorts, swimwear, hats and flip-flops. FIRST USE: 20080901. FIRST USE IN COMMERCE: 20080901
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.01.02 - Circles, plain single line; Plain single line circles 26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)
<b>Trademark Search Facility Classification Code</b>	LETS-2 SR Two letters or combinations of multiples of two letters SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
<b>Serial Number</b>	77689653
<b>Filing Date</b>	March 12, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	July 14, 2009
<b>Registration Number</b>	3689058
<b>Registration Date</b>	September 29, 2009
<b>Owner</b>	(REGISTRANT) Southern Regional School District CORPORATION NEW JERSEY 105 Cedar Bridge Road Manahawkin NEW JERSEY 08050
<b>Attorney of Record</b>	Bridget Heffernan Labutta
<b>Description of</b>	Color is not claimed as a feature of the mark. The mark consists of the letters "S" and "R" in stylized

4/22/2015

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**Mark** font, surrounded by a circle.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# SR2

**Word Mark SR2**

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: All-purpose carrying **bags**; all-purpose athletic **bags**; all-purpose sports **bags**; athletic **bags**; backpacks; belt pouches, namely, fanny packs; billfolds; book **bags**; bridal purses; briefcases; briefcase-type portfolios; business cases; business card cases; calling and credit card cases; carry-on **bags**; change purses; clutches; coin purses; cosmetic cases sold empty; cross body all-purpose carrying **bags**; diaper **bags**; duffel **bags**; evening **bags**; fanny packs; garment **bags** for travel; gym **bags**; handbags; hobo **bags**; key cases; luggage; luggage tags; multi-use sports **bags**; purses; saddle horn **bags**; satchels; school **bags**; shoulder **bags**; sports **bags**; suitcases; textile shopping **bags**; toiletry **bags** sold empty; top handles; tote **bags**; travel **bags**; trunks; umbrellas; waist packs; and wallets. FIRST USE: 19990700. FIRST USE IN COMMERCE: 19990700

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86139959

**Filing Date** December 10, 2013

**Current Basis** 1A

**Original Filing Basis** 1A

**Published**

10/29/2014

Trademark Electronic Search System (TESS)

**for** June 3, 2014

**Opposition**

**Registration  
Number** 4587893

**Registration  
Date** August 19, 2014

**Owner** (REGISTRANT) Becarro International Corporation CORPORATION FLORIDA 1730 Corporate Drive  
Boynton Beach FLORIDA 33426

**Attorney of  
Record** Maria Johnson

**Type of  
Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

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**Word Mark** SR-72

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Book bags, tote bags, reusable shopping bags, duffel bags, travel bags, shoulder bags, golf umbrellas, umbrellas, luggage tags, brief cases, document carrying cases, wallets, coin purses

**Standard Characters**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86126129

**Filing Date** November 21, 2013

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** April 1, 2014

**Owner** (APPLICANT) Lockheed Martin Corporation CORPORATION MARYLAND 6801 Rockledge Drive Bethesda MARYLAND 20817

**Attorney of Record** Lynne M.J. Boisineau

**Registrations** 2427242;3106898;3109403;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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Mark: SR-72

SR-72

US Serial Number: 86126129

Application Filing Date: Nov. 21, 2013

Register: Principal

Mark Type: Trademark

Status: A first request for extension of time to file a Statement of Use has been granted.

Status Date: Dec. 24, 2014

Publication Date: Apr. 01, 2014

Notice of Allowance Date: May 27, 2014

## Mark Information

Mark Literal Elements: SR-72

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US 2427242, 3106898, 3109403 and others  
Registrations:

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Book bags, tote bags, reusable shopping bags, duffel bags, travel bags, shoulder bags, golf umbrellas, umbrellas, luggage tags, brief cases, document carrying cases, wallets, coin purses

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: Lockheed Martin Corporation

Owner Address: 6801 Rockledge Drive  
Bethesda, MARYLAND 20817  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Lynne M.J. Boisineau

Docket Number: 086712-0931

Attorney Primary Email Address: OCIPdocketing@mwe.com

Attorney Email Authorized: Yes

### Correspondent

Correspondent LYNNE M.J. BOISINEAU  
Name/Address: MCDERMOTT WILL & EMERY LLP  
4 PARK PLZ STE 1700  
IRVINE, CALIFORNIA 92614-2559  
UNITED STATES

Phone: 949-851-0633

Fax: 949-851-9348

Correspondent e-mail: [OCIPdocketing@mwe.com](mailto:OCIPdocketing@mwe.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Dec. 25, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 24, 2014	EXTENSION 1 GRANTED	71034
Nov. 11, 2014	EXTENSION 1 FILED	71034
Dec. 23, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Nov. 11, 2014	TEAS EXTENSION RECEIVED	
May 27, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 01, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 01, 2014	PUBLISHED FOR OPPOSITION	
Mar. 12, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 21, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 19, 2014	ASSIGNED TO EXAMINER	88574
Dec. 06, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 25, 2013	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

#### TM Staff Information

TM Attorney: ROSENBERG, MIAH J

Law Office Assigned: LAW OFFICE 117

#### File Location

Current Location: INTENT TO USE SECTION

Date in Location: Dec. 23, 2014



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## Typed Drawing

**Word Mark** SR-91**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Anti-glare, protective eyewear, namely sunglasses, goggles, **spectacles**, performance and fashion-oriented protective eyewear and parts and accessories therefore, namely, prescription and non-prescription sunglass lenses. FIRST USE: 20010801. FIRST USE IN COMMERCE: 20011101**Mark Drawing Code** (1) TYPED DRAWING**Serial Number** 78076674**Filing Date** July 31, 2001**Current Basis** 1A**Original Filing Basis** 1B**Published for Opposition** March 26, 2002**Registration Number** 2633395**Registration Date** October 8, 2002**Owner** (REGISTRANT) Kaenon, LLC LIMITED LIABILITY COMPANY CALIFORNIA 1607 Babcock Street  
Newport Beach CALIFORNIA 92663(LAST LISTED OWNER) KAENON, INC. CORPORATION DELAWARE 864 West 16th Street  
NEWPORT BEACH CALIFORNIA 92663**Assignment Recorded** ASSIGNMENT RECORDED**Attorney of** Thomas J. Speiss, III



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**Record**

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130119.

**Renewal** 1ST RENEWAL 20130119

**Live/Dead Indicator** LIVE

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**SR-1**

Word Mark SR-1

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Safety helmets, namely, crash helmets and motor cycle helmets and component parts thereof; **spectacles**, combinable with safety helmets; face protection shields and hearing protection headsets not for medical use; protective headgear, namely, visors

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 79084846

**Filing Date** April 30, 2010

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** March 29, 2011

**Registration Number** 3976647

**International Registration Number** 1044632

**Registration Date** June 14, 2011

**Owner** (REGISTRANT) Schuberth GmbH LIMITED LIABILITY COMPANY FED REP GERMANY Stegelitzer StraÙe 12 39126 Magdeburg FED REP GERMANY

**Attorney of**

10/29/2014

Trademark Electronic Search System (TESS)

**Record** Philana S. Handler

**Priority Date** December 18, 2009

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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